



ENVIRONMENTAL PROTECTION AGENCY

[FRL-9903-79-Region 3]

Adequacy Status of the Submitted Redesignation Requests and Maintenance Plans for the Charleston, West Virginia 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards Nonattainment Area for Transportation Conformity Purposes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of adequacy.

SUMMARY: In this notice, EPA is notifying the public that EPA has made insignificance findings through the transportation conformity adequacy process, under the Clean Air Act (CAA), for directly emitted fine particulate matter (PM_{2.5}) and nitrogen oxides (NO_x) in the Charleston, West Virginia 1997 and 2006 PM_{2.5} national ambient air quality standards (NAAQS) nonattainment area. West Virginia submitted the insignificance findings with the redesignation requests and maintenance plans submittal on December 6, 2012. As a result of EPA's findings, the Charleston, West Virginia nonattainment area is no longer required to perform a regional emissions analysis for directly emitted PM_{2.5}, or NO_x, as part of future PM_{2.5} conformity determinations for the 1997 and 2006 PM_{2.5} NAAQS.

DATE: Effective on [insert date 15 days from date of publication].

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

Today's notice is simply an announcement of a finding that EPA has already made. EPA Region III sent a letter to the West Virginia Department of Environmental Protection on October 29, 2013 stating that EPA has made insignificance findings, through the adequacy process, for PM_{2.5} and NO_x for the Charleston, WV 1997 and 2006 PM_{2.5} NAAQS nonattainment area, as the State had requested in its redesignation requests and maintenance plans submittal. Receipt of the submittal was announced on EPA's transportation conformity website. No comments were received. The findings letter is available at EPA's conformity website:
<http://www.epa.gov/otaq/stateresources/transconf/adequacy.htm>.

Transportation conformity is required by section 176(c) of the CAA. EPA's conformity rule requires that transportation plans, transportation improvement programs, and projects conform to state air quality implementation plans (SIPs) and establishes the criteria and procedures for determining whether or not they do. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which EPA determine whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). EPA described the process for determining the adequacy of submitted SIP budgets in a July 1, 2004 preamble starting at 69 FR 40038 and used the information in these resources in making this adequacy determination. Please note that an adequacy review is separate from EPA's completeness

review, and should not be used to prejudge EPA's ultimate approval action for the SIP. Even if EPA finds a budget adequate, the SIP could later be disapproved.

The finding and the response to comments are available at EPA's conformity website:

<http://www.epa.gov/otaq/stateresources/transconf/adequacy.htm>.

Authority: 42 U.S.C. 7401-7671q.

Dated: November 14, 2013.

W. C. Early,
Acting Regional Administrator,
Region III.

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